

DATE: January 12, 2005
TO: Municipal Clerk
FROM: Byron E. Johnson
Director of Purchasing x4313
THRU: Rachel Johnson
Clerk Typist II x4162



CITY CLERK DEPT.
05 JAN 18 PM 1:12

Please place the following item on the **REGULAR** agenda for the Council Meeting of **JANUARY 25, 2005.**

DISCUSSION AND ACTION ON RESOLUTION:

WHEREAS, the City Council of the City of El Paso, by Resolution dated March 12, 2002, determined that the competitive sealed proposal method is the project method that provides the best value to the City when entering into a contract for the construction of a facility; and

That the City of El Paso hereby awards Solicitation No. 2005-034 for Leo Cancellare Pool Improvements, to F. T. James Construction, Inc. in the amount of \$179,222.00, as this Offeror provides the Best Value to the City based on the published criteria and on its ranking evaluation; and

That the Mayor be authorized to sign the contract referenced above; and

That the Mayor be authorized to execute budget transfers for this award and project, as necessary; and

That the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

Contact person: Byron E. Johnson C.P.M., Director of Purchasing at 541-4313

AGENDA FOR: JANUARY 25, 2005

CITY OF EL PASO, TEXAS
REQUEST FOR COUNCIL ACTION (RCA)

DEPARTMENT: Purchasing
AGENDA DATE: January 25, 2005

CONTACT PERSON/PHONE: Byron Johnson, Director of Purchasing (X4313)
PROJECT NAME/SOLICITATION NO. Leo Cancellare Pool Improvements, Solicitation No. 2005-034

DISTRICT (S) AFFECTED: 1

SUBJECT:

Award Best Value Procurement for the construction of the Leo Cancellare Pool Improvements (Solicitation No. 2005-034) to F. T. James Construction, Inc. in the amount of \$179,222.00 (Base Bid), as per recommendations from the Departments of Parks and Recreation and Engineering. F. T. James Construction, Inc. has provided the best value proposal. It is requested that the Mayor be authorized to sign the referenced contract and be authorized to execute budget transfers for this award and project, as necessary.

BACKGROUND / DISCUSSION:

Bid Tabulation, Best Value Evaluation Sheet and Value Engineering Negotiated Change are included in agenda backup.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

This project is funded by the 2004 Bond Election. Funding is available in 14200401-PBE04PA104-29104-508027. A budget transfer is not necessary at this time.

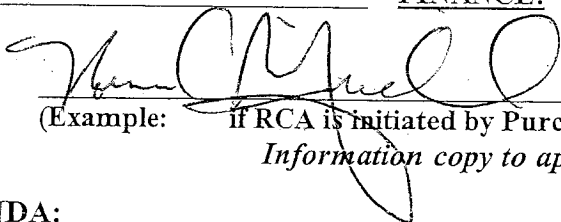
BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD:


(Example: if RCA is initiated by Purchasing, client department should sign also)
Information copy to appropriate Deputy City Manager

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

Date 1/11/05
To: Municipal Clerk
FROM: Byron E. Johnson
Director of Purchasing X4313
THRU: Aurora Wells
Bid Clerk X4038

Please place the following item on the REGULAR agenda for the Council Meeting of 1/25/05.

Discussion and Action on Resolution:

WHEREAS, the City Council of the City of El Paso, by Resolution dated March 12, 2002, determined that the competitive sealed proposal method is the project method that provides the best value to the City when entering into a contract for the construction of a facility; and

That the City of El Paso hereby awards Solicitation No. 2005-034 for Leo Cancellare Pool Improvements, to F. T. James Construction, Inc. in the amount of \$179,222.00, as this Offeror provides the Best Value to the City based on the published criteria and on its ranking evaluation; and

That the Mayor be authorized to sign the contract referenced above; and

That the Mayor be authorized to execute budget transfers for this award and project, as necessary; and

That the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

Contact person: Byron E. Johnson, Director of Purchasing at 541-4313

AGENDA FOR: January 25, 2005

RESOLUTION

WHEREAS, the City Council of the City of El Paso, by Resolution dated March 12, 2002, determined that the competitive sealed proposal method is the project method that provides the best value to the City when entering into a contract for the construction of a facility; and

WHEREAS, the selection of a construction contractor for the Leo Cancellare Pool Improvements, Solicitation No. 2005-034, shall be accomplished through the use of the Competitive Sealed Proposal Method; and

WHEREAS, certain procedures must be met under state law when selecting a contractor for construction of a facility through competitive sealed proposals; and

WHEREAS, the City has followed the required procedures by preparing a request for competitive sealed proposals that includes construction documents, selection criteria used in selecting the successful offeror, estimated budget, project scope, schedule, and other information that contractors may require to respond to the request; and

WHEREAS, the City has received, publicly opened, and read aloud the names of the offerors and the prices stated in each proposal and has, no later than the 45th day after the date of opening the proposals, evaluated and ranked each proposal submitted in relation to the published selection criteria; and

WHEREAS, the City selects F. T. James Construction, Inc. as the offeror that offers the best value to the City based on the published selection criteria and on its ranking evaluation; and

WHEREAS, the City has successfully negotiated a contract with F. T. James Construction, Inc. and has, along with the Lucero-Melendez Architects Inc. and City of El Paso Engineering Department, discussed with F. T. James Construction, Inc. options for a scope or time modification and price change associated with the modification.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City of El Paso hereby awards Solicitation for Leo Cancellare Pool Improvements, No. 2005-034, to F. T. James Construction, Inc. in the amount of \$179,222.00, as this offeror provides the best value to the City based on the published criteria and on its ranking evaluation; and

THAT the Mayor be authorized to sign the contract; and

THAT, the Mayor be authorized to execute budget transfers for this award and project as necessary; and

THAT the City Engineer is hereby authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order and 25% of the original contract price as awarded, without further authorization by City Council.

ADOPTED this 25th day of January, 2005.

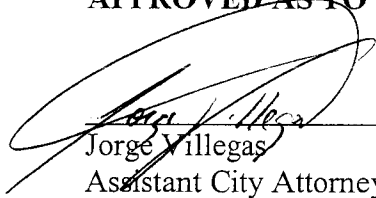
CITY OF EL PASO

ATTEST:

Joe Wardy
Mayor

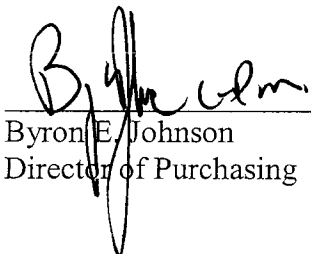
Richarda D. Momsen
Municipal Clerk

APPROVED AS TO FORM:



Jorge Villegas
Assistant City Attorney

APPROVED AS TO CONTENT:



Byron E. Johnson
Director of Purchasing

SCOPE OF WORK

Leo Cancellare Pool Improvements
650 Wallenberg Drive
Proposal No. 2005-034

All work for this project will be in the interior of the building.

The building will be vacated during the time period of repair and construction.

The contractor shall protect all existing equipment, lighting, electrical outlets, mechanical systems and all apparatus.

Any item which is broken or damaged will be replaced at no additional cost to the City.

Provide new handicapped toilet and toilet partitions.

Provide new openings.

Provide new doors and frames.

~~Provide new finishes, as indicated on schedules and drawings.~~

New areas of renovation shall comply with all TAS requirements.

CITY OF EL PASO BID TABULATION

BID ITEM: LEO CANCELLARE POOL IMPROVEMENTS
 BID DATE: DECEMBER 8, 2004

BID # 2005-034
 DEPARTMENT: PARKS

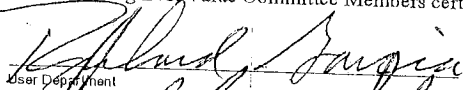
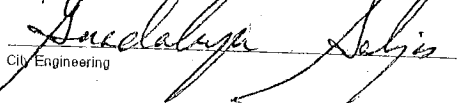
	F. T. James Construction, Inc.						
DESCRIPTION	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL	TOTAL
BASE BID	\$222,222.00						
AMENDMENTS ACKNOWLEDGED	YES						
BID BOND SUBMITTED	YES						

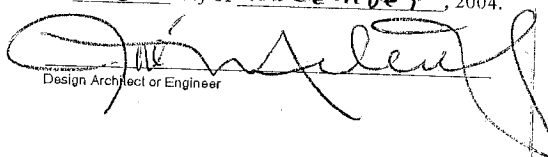
CHECKED BY: *Barbara Crumley*
 12/10/04

BEST VALUE PROCUREMENT EVALUATION SHEET
Leo Cancellare Pool Improvements

CRITERIA	F. T. James Construction					
Part A: Offeror's Price						
Maximum 65 Points	\$222,222.00					
Low Offer / Offer * 65	65.00					
Part B: Offeror's Past Relationship with Owner						
Maximum 10 points						
Contract Compliance w/City Contracts (0 - 8 pts)	8.00					
Completion of City Contracts Prior to Completion Date (0 - 2 pts)	2.00					
Negative Performance on City Contracts (0 to -10 pts)						
Part C: Offeror's Experience & Qualifications						
Maximum 10 Points						
Completed Projects Similar Size/Scope/Value (0 - 8 pts)	8.00					
Offeror Has Been in Business More Than 5 yrs (0 - 2 pts)	2.00					
Negative Performance on Contract(s) (0 to -10)						
Part D: Health Benefits						
Maximum 5 Points	yes					
Offeror Provides & Pays 60% or More of Cost (0 or 5 pts)	5.00					
Part E: Local Project Manager						
Maximum 5 Points	yes					
Prime Contractor has a Local Project Mgr (0 or 5 pts)	5.00					
Part F: Local Subcontractor Work						
Maximum 5 Points	yes					
Local Subs to perform 75% of subcontracted work (0 or 5 pts)	5.00					
TOTAL POINTS EARNED	100.00					

The following Best Value Committee Members certify these scores on this the 13 day of December, 2004.


 User Department

 City Engineering


 Design Architect or Engineer

BEST VALUE OFFEROR CERTIFICATION

LEO CANCELLARE POOL IMPROVEMENTS SOLICITATION NO. 2005-034

The evaluation of offers for the Best Value Procurement for this Proposal has been completed.

The Offeror, F. T. James Construction, Inc., has received the
(Contractor's Name)

highest score, 100, and is, therefore, certified as offering the City of El Paso the Best Value for this project.

The amount of the award will be \$179,222.00.

This amount includes the following proposal components and alternates with their corresponding amounts:

PROPOSAL COMPONENT	\$ AMOUNT
Base Bid	\$179,222.00

I, Norman Chiqui, of PARKS & RECREATION,
(Name) (Department or Firm)

concur with this Certification on this the 11/7 day of 2004.5

I, Guadalupe Lopez, of CITY ENGINEERING,
(Name) (Department or Firm)

concur with this Certification on this the 10 day of JAN. 2004.

I, James Lopez, of LUERO/MELORE,
(Name) (Department or Firm)

concur with this Certification on this the 10 day of JAN 2004.

I, _____, of _____,
(Name) (Department or Firm)

concur with this Certification on this the _____ day of _____ 2004.

CITY OF EL PASO
VALUE ENGINEERED NEGOTIATED CHANGE

DATE: 12/22/2004

VEN CHANGE:

1

PROJECT: Leo Cancelliere Pool Improvements

☐ SCOPE CHANGE

☒ CONSTRUCTION CHANGE

SOLICITATION NO.

2004-015

TO (Contractor): F. T. James Construction, Inc.
700 W. Paisano
El Paso, Tx 79901

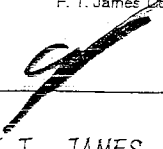
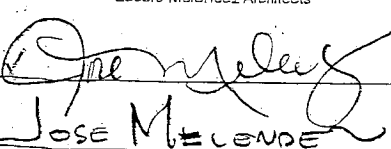


DEPT. ID#: 14200401
PROJ/GRANT/USER: PPW0310
FUND: 29104
ACCOUNT: 508027

You are directed to make the following changes in these Contract requirements::

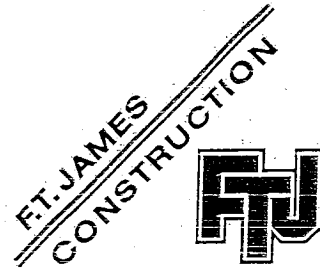
1. Delete all skylights (eight total) and associated work. (\$10,000.00)
2. Delete all painting except doors and frames. (\$14,500.00)
3. Delete rubber mat flooring in dressing rooms and use pool deck coating similar to rest of building. (\$6,000.00)
4. Delete fiberglass doors and frames. Refinish existing doors. (\$12,500.00)

Value Engineered Negotiated Change: \$ (43,000.00)

Original Proposal Amount	\$ 222,222.00
Sum will be decreased by this Value Engineered Negotiated Change	\$ (43,000.00)
New Contract Sum, including this Value Engineered Negotiated Change	\$ 179,222.00
Total Net Value of Value Engineered Negotiated Change	\$ (43,000.00)
Contract Time will be unchanged	

CONTRACTOR	COEP USER DEPARTMENT	CITY OF EL PASO
F. T. James Construction, Inc.	Parks and Recreation	
 FRANK T. JAMES, PRESIDENT Signature or Print Name 12/27/04		CITY COUNCIL ACTION REQUIRED: <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes Date Approved
ARCHITECT / ENGINEER		
Lucero-Melendez Architects		
 JOSE MELLENDEZ Signature or Print Name 1.3.05	 By: NORMAN C. Merrifield Signature or Print Name 1/7/05 Date	 By: Rick Conner Signature or Print Name 07 Jan 05 Date

December 17, 2004



Kareem Dallo
City of El Paso – Engineering Department
Two Civic Center Plaza
El Paso, Texas 79901

Re: Leo Cancellare Pool Improvements
Value Engineering Options

Dear Mr. Dallo:

In accordance with our meeting today, we offer you the following value engineering proposals:

1. Eliminate all skylights (eight total) and associated work. Deduct \$10,000.
2. Eliminate all painting except doors and frames. Deduct \$14,500.
3. Eliminate rubber mat flooring in dressing rooms and use pool deck coating similar to rest of building. Deduct \$6,000.
4. Eliminate fiberglass doors and frames. Refinish existing doors. Deduct \$12,500.

Total proposed deductions amount to \$43,000. The same items may be added back to the contract at the same prices anytime during the contract period. Please contact us if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank T. James', is written over a horizontal line.

Frank T. James
President

DEC 17 2004

F.T. JAMES CONSTRUCTION, INC.

700 W. PAISANO • EL PASO, TEXAS 79901 • (915) 351-2400 • FAX (915) 351-2404

December 15, 2004

City of El Paso
Two Civic Center Plaza
El Paso, Texas 79901-1196

**LUCERO
MELENDEZ**
ARCHITECTS A.I.A., INC.

1325 MONTANA AVE.
EL PASO, TEXAS 79902
OFFICE FAX
(915) 532-0066 (915) 532-0099

ATTN: Mr. Guadalupe Salinas
Engineering Associate II
Engineering Department

RE: Leo Cancellare Pool Improvements

SUBJECT: Contractor's Bid Review

Dear Sir,

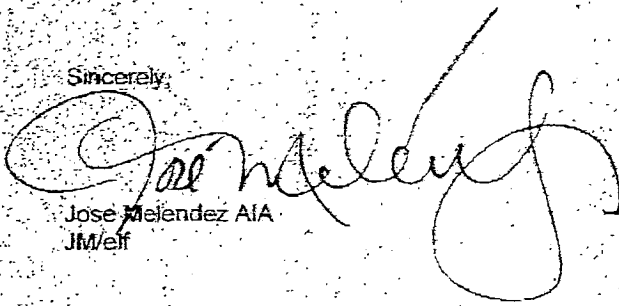
F.T. James Construction Inc.'s bid of \$222,222.00 for this project was over budget by approximately \$41,200.00 dollars. We have reviewed the project and scope of work and offer the following reasons as to why the project is over budget and some recommendations on possible cost reductions.

First the project required an Apprentice Program for all contractors and sub contractors. We feel that the bid increased by about 20% because many of the smaller subcontractors who would bid this size of project have not implemented the Apprentice Program as part of their normal business operation. Therefore, they do not bid this type of work. The fact that there was only one bidder on this project is an indication of the inability of contractors at this time to work with the Apprentice Program. The following items could be deleted or modified without impacting the Scope of Work.

- Reduce the quality of the wall paint. The paint specified is of the highest quality recommended for this type of environment.
- Delete the 10 new skylights indicated on the drawings.
- Delete the rubber mat flooring in the dressing areas.
- Reduce the amount of "Dry-deck" flooring; use "Dry-deck" only in public areas.
- Replace the fiberglass doors and frames with standard hollow metal door and frame materials.

The above mentioned items, in our opinion, are essential to this project. The requirements for this project are very basic therefore, it is difficult to make any change without impacting the Scope of Work. F.T. James Construction may be able to provide a more valid assessment of cost reductions. Please call if we need to discuss this in greater detail.

Sincerely,



Jose Melendez AIA
JM/ef

RECEIVED
JAN 03 2005
CITY OF EL PASO
CONTRACT COMPLIANCE

PROPOSAL

TO THE HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO
EL PASO, TEXAS

GENTLEMEN:

The undersigned having familiarized themselves with the local conditions affecting the cost of work and with the Contract documents consisting of Invitation for Competitive Sealed Proposals, Information for Offeror's, General Conditions, the Contractors Proposal, Special Bid Conditions, Applicable Wage Rates, the Contract Form, plans, specifications, drawings, and addenda on file in the office of the Purchasing Department of the City of El- Paso, hereby propose to perform everything required to be performed and to provide, furnish and install all the labor, materials, necessary tools, expendable equipment, and all utility and transportation services, and to complete in a workmanlike manner all the work required for the:

LEO CANCELLARE POOL IMPROVEMENTS
Proposal NO. 2005-034

within the specified limits and in accordance with the plans and specifications as prepared for the City of El Paso, including Addenda Number(s), 1, 2, _____, _____, _____, AT THE FOLLOWING LUMP SUM (Additive alternate items are given on the following pages):

BASE BID:

The undersigned agrees to perform all of the work required for the total amount of:

\$ ~~222,222~~
\$ 222,222 -

COMPANY NAME: F.T. JAMES CONSTRUCTION, INC.

OFFEROR'S SIGNATURE: _____

OFFEROR'S NAME: FRANK T. JAMES, PRESIDENT

Offeror's Name must be typed or printed

CONTRACT TIME AND LIQUIDATED DAMAGES

The undersigned Bidder agrees to commence work on a date to be specified in a written Notice to Proceed and to substantially complete the work on which he/she has bid within **NINETY (90) CONSECUTIVE CALENDAR DAYS**.

Bidder agrees to pay as liquidated damages the sum of **SEVEN HUNDRED FIFTY (\$750.00)** for each consecutive calendar day thereafter as provided in paragraph 6.8 of the General Conditions of the Contract.

PROPOSAL

Enclosed with this proposal is a certified check or bid bond for five percent (5%) of the TOTAL bid price including base bid(s) and alternates) which is agreed shall be collected and retained by the owner(s) as liquidated damages in the event this proposal is accepted by the Owner within forty-five (45) consecutive calendar days after the date advised for the reception of bids and the undersigned fails to execute the contract and the required performance and payment bonds with the Owner within fourteen (14) consecutive calendar days after the date said proposal is accepted; otherwise, the said bid security shall be returned to the undersigned upon demand.

THE UNDERSIGNED OFFEROR REPRESENTS TO THE CITY AND TO THE OTHER OFFERORS THAT HIS/HER PROPOSAL, AND THE ESTIMATES ON WHICH IT IS BASED, HAS BEEN CAREFULLY CHECKED AND CONTAINS NO ERRORS, AND NOTHING HAS BEEN OMITTED OR OVERLOOKED IN DETERMINING THE AMOUNTS BID.

OFFEROR'S NAME: F.T. JAMES CONSTRUCTION, INC.

BY: _____

Signature

12/08/04

Date

FRANK T. JAMES, PRESIDENT

Print Signer's name & title

Telephone _____

Fax _____

SAME

Address

EL PASO, TEXAS 79901

City, State, Zip Code

Physical Address of Business - if different from above

City, State, Zip Code

IF THE OFFEROR IS A CORPORATION, THE FOLLOWING CERTIFICATE SHOULD BE EXECUTED: I, RICK MILLER, certify that I am the _____ Secretary of the corporation named as Offeror hereinabove; that FRANK T. JAMES, Who signed the foregoing contract on behalf of the Offeror, was then PRESIDENT of said corporation; that said proposal was duly signed for and in behalf of said corporation by authority of its governing body, and is within the scope of its corporate powers.

CORPORATE SECRETARY SIGNATURE AND CORPORATE SEAL